IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

A.O.NO.543 OF 2005

Mr. B.K.Mistry .. Appellant
vs.
Mr. Vasudev R. Samant & Ors. .. Respondents

Mr. Suresh K. Mali, for the Appellant.
Mr. Murti for the Respondent.

CORAM : A.S.OKA, J.
DATED : 2nd May, 2005.

P.C. :

1. Shri Mali appearing for the Appellant states that the Appeal from Order is not maintainable for challenging the impugned Judgment and Order. He, therefore, seeks permission to withdraw this Appeal from Order with liberty to file appropriate proceedings for challenging the impugned Judgment and Order.

2. Accordingly, appeal is dismissed as withdrawn. Notwithstanding the dismissal of the appeal, it will be open for the Appellant to take out appropriate proceedings for challenging the impugned Judgment and Order.

3. Parties to act on the authenticated copy of this order.

(A.S.Oka, J.)